A Committee of senior officers has been constituted to review the existing transfer policy to make it more transparent and equitable. The Committee will take into consideration all relevant factors, including instructions issued by the Department of Personnel & Training and CVC, while making its recommendations.

Tax Collections by NSCN

236. SHRI W. ANGOU SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that during the continuation of ceasefire between the NSCN and the Government of India, open levy/tax collections have been made by the NSCN on vehicles carrying essential goods from Dimapur, for the people of Manipur, at the nose of security and police stations in the Nagaland area, upto the border area of Manipur;

(b) if so, what steps have been taken in this regard; and

(c) whether there is any contemplated plan for recruitment of National Highway Force?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Instances of NSCN (I/M) cadres indulging in forcible extortion under the garb of "tax collection by the so-called Government of the People's Republic of Nagaland" have come to notice of the Central Government.

(b) Instructions have been issued to the Government of Nagaland to deal firmly with such situations in accordance with the law of the land. NSCN(I/M) have also been warned that such extortion is against the Agreed Ground Rules for cease-fire and that continuation of such practices may seriously jeopardise the ceasefire agreement and invite appropriate response from the security forces. A number of NSCN(I/M) cadres indulging the extortion have also been arrested.

(c) No. Sir.

Wadhwa Commission Report

237. SHRI KRISHNA KUMAR BIRLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Wadhwa Commission of Inquiry, which probed into the killing of Australian Missionary and his sons in Orissa, has submitted its report to Government;

(b) if so, what are the salient features of the findings of the Commission;

(c) what action has been taken by Government thereon; and

(d) whether a copy of the report would be laid on the Table of the House?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Yes, Sir.

(b) The conclusions and recommendations of the Commission are given in the enclosed statement (*See below*)

(c) and (d) Justice D.P. Wadhwa Commission of Inquiry had submitted its report to the Home Ministry on 21-6-1999. The same was made public alongwith the Action. Taken Report by sending copies to the Chairman, Rajya Sabha and the Speaker, Lok Sabha on 5-8-99. Thereafter, required number of copies including authenticiated copies and ATR have been sent to both Houses of Parliament on 18-11-1999 for laying formally under the provisions of Section 3(4) of the Commissions of Inquiry Act, 1952.

Statement

Conclusions/Recommendations of Justice D.P. Wadhwa Commission of Inquiry

Conclusions:

(a) Graham Stewart Staines, an Australian missionary, devoted most part of his life in India to the cause of eradication of leprosy and rehabilitation of leprosy patients. As a missionary, he was also involved in spreading the Gospel and was behind the church movement in the two districts of Mayurbhanj and Keonjhar. He himself was not involved in conversions. A missionary preaches, it is the individual who converts. There have been conversions among the tribals. Tribals who got converted distanced themselves from tribal customs. There have been instances of conflicts between Christian and non-Christian tribals evidencing growing tensions between them. Opposition was also developing against conversions in the area.

Staines himself had suspicion about the growing tensions. But he did not expect that a stage had come where there is threat to his life or a riotous situation is developing. The administration was quite unconcerned and oblivion to the growing tension. Manoharpur was a peaceful village inhabited by Santhal tribe. Now, it is a divided house. In the election of the headman of the village, Christians had their own candidate and all of them voted for him. Non-Christians voted for their non-Christian candidate. It is a strange scenario. When a non-Christian converts himself, he does not become a different human being. Why then does any religious group thinks it that way? Religion is one's faith. It is not to become a big divide. People, it appears, have more religion in them than they are religious. Here what we need is, understanding of religion. Prime need of the hour is the consensus, harmoney and reconciliation. Staines was a popular figure by all accounts in Baripada. He earned fame for his selfless service for the cause of leprosy. Gladys, his wife, talks of his attainments. Unfortunately, some of the tribals perceived Staines to be the person behind spread of Christianity by converting innocent and unsuspecting tribals and the one making inroads into their culture and customs.

Dara Singh was growing in stature. He is a fanatic. He committed crimes against Muslim traders. There was no check on him. There were criminal cases pending against him and yet he was not declared as absconder. These Muslim traders were trading in cattle. Dara Singh played on the sentiments of Mahanta community in the area who worship cows. Action of Dara Singh in stopping the transporting of cattle from Muslim traders and also by a Hindu trader and then distributing the cattle earned him popularity. Tribal youth looked at him with awe as if they found a Messiah in Dara Singh. They drew his attention to the conversions in Manoharpur by the Christian missionaries. Now, attention of Dara Singh was diverted towards Christian missionaries. These youth are not members of any organisation. Dara Singh understood the psyche of the tribals. He played on their emotions and provoked their ire saying that Christian missionaries were destorying Hindu religion. He prepared them and then led the attack on the Christian missionaries. Staines was killed by these fanatics and with him his two children also perished.

(b) The act of murdering Staines and his two children was inspired by Dara Singh and his clout and no authority, organisation or any other person played any role in or in connection with the killings. There is no evidence that any authority or organisation was behind the gruesome killings.

Recommendations:

It is imperative that development of tribal areas is accelerated.

To avoid any distrust among the different communities and to bring in communal harmony, it is necessary that at the school level itself, CHILDREN ARE TAUGHT COMPONENTS OF ALL RELIGIOUS FAITHS MAKING AVAILABLE TO them treasure of all faiths.

It is necessary to evolve a common framework for the future and for that National Foundation of Communal Harmony be made a statutory body on the lines of National Human Rights Commission.

Law and order machinery in the State is to be strengthened Frequent, illogical and irrational transfers of officers, specially of District Magistrate and Superintendent of Police, are to be avoided. Proposal for transfer Superintendent of Police, should emanate from Director General of Police in the State. IPS and IAS officers who are on the cadre of Assam, Bihar, Madhya Pradesh and Orissa, while in their respective academies, should be taught about the tribals, their culture, their customs and their habits. These officers are being given lessons in the language of the particular State to which they are assigned.

FIR registered in the case does not represent true state of affairs. It is certainly a doctored document. Then there is the arrest of 51 persons initially in connection with this case which was apparently without any reasonable basis. Their detention for over two months in custody appears, prima facie, to be unjustified. There should be an independent inquiry to find out the circumstances leading to the recording of the FIR, arrest of innocent persons and how they are to be recompensed for their illegal arrest and detention. Responsibility for this be fixed on the guilty be it the State Government and/or its officials and necessary action taken.

Intelligence gathering machinery also needs strengthening especially the community intelligence.

There should be proper understanding of the provisions of the Orissa Freedom of Religion Act, 1967 and the Rules made thereunder.

Visits of VIPs need drastic curtailing as their visits hamper investigation and there is every chance of important evidence being lost by delay in investigation.

There should be a Code of Conduct for the political parties when their leaders make statements without verification in a situation like the present one. Leaders cannot make statements merely for gaining political mileage. Their statements should be subdued and not to fan the fire when the atmosphere is communally surcharged. It is the duty of everyone to have regard to each other's faith and to spread a message of love, peace and kindness. Murderer is a murderer to whichever faith he may belong. A criminal is a criminal. Religion need not be brought in such matters. Allow the police to make independent investigation of the crime uninfluenced by politics or religion or caste.

Media, both print and electronic, has also to exercise restraint. Screaming headlines should be avoided which have the effect of misleading the public and creating more tension and suspicion among different communities. News headlines in the cases of rape of nun and murder of a Christian boy and girl after rape have been noticed. One cannot imagine the damage that might have been caused to the polity by such headlines and reporting. Reporting of communal strife should not be done without proper verification or an ordinary crime given a communal twist.

Acts for Identification of Foreigners

238. DR. ARUN KUMAR SARMA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the reasons for adopting two different Acts for the purpose of identification of foreigners in the country i.e., Foreigners Act, 1946 applicable to the rest of the country, against the IMDT Act, 1983, applicable to Assam alone; and

(b) whether it is a fact that treating citizens and non-citizens of the country under these two different Laws is discriminatory and unconstitutional?